

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF RHODE ISLAND, et al.,

Plaintiffs,

v.

C.A. No.:

DONALD J. TRUMP, et al.,

Defendants.

DECLARATION OF LAUREN MOORE

Pursuant to 28 U.S.C. § 1746, I, Lauren Moore, hereby declare as follows:

1. I am a resident of the State of New York. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.

2. In 2019, I was appointed as the Assistant Commissioner for Libraries and the New York State Librarian. The New York State Library is part of the Office of Cultural Education within the New York State Education Department.

3. The New York State Library serves three constituencies in New York State: (1) the Research Library; (2) the Talking Book and Braille Library; and (3) the Division of Library Development.

4. The Research Library, which is the principal library for New York State government, is over 200 years old and is one of the largest research libraries in North America. The Research Library collects, preserves, and makes available materials that support State

government work. Its collection, which exceeds 20 million items, is available to researchers via interlibrary loan, online, and on-site in Albany, New York.

5. The Talking Book and Braille Library lends braille and audio magazines and books, in addition to digital talking books and talking book players, to all New Yorkers outside of New York City and Long Island who are unable to utilize printed materials.

6. The Division of Library Development works in partnership with 72 library systems across New York State to bring services to the people who use nearly 7,000 public, school, and reference libraries. Staff experts work with librarians, school administrators, public officials, and others to make library services available in New York communities. Division staff also administer more than \$150 million annually in State aid to New York's libraries through a local assistance formula aid program of \$104.6 million, the State Aid for Library Construction program, and discretionary grant programs established by the New York State Legislature. Division staff also facilitate participation in federal, state, and private funding programs.

7. As the Assistant Commissioner for Libraries and New York State Librarian, I lead the operations of the New York State Library and its statewide services. I manage approximately 100 employees, interns and volunteers, a \$12 million operating budget, over 20 million collection items, and oversight of approximately \$158 million in State and Federal aid to libraries.

8. I submit this declaration in connection with Executive Order 14,238, "Continuing the Reduction of the Federal Bureaucracy," which directed seven federal agencies, including the Institute of Museum and Library Services (the "Institute"), to eliminate any non-statutory components and functions to the maximum extent consistent with applicable law, and to reduce the performance of any statutory functions and associated personnel to the minimum presence and function required by law.

9. Given my experience, I believe that Executive Order 14,238 will cause the Institute to eliminate or substantially reduce financial awards and/or programs on which the New York State Library relies and on which it expects to rely in the future, causing significant harm to the New York State Library.

The Museum and Library Services Act

10. In 1996, Congress established the Institute by enacting the Museum and Library Services Act of 1996, which amended the Museum Services Act (20 U.S.C. § 961 *et seq.*). The Library Services and Technology Act, which is part of the Museum and Library Services, authorizes the distribution of federal funding to help support libraries across the United States. The Museum and Library Services Act was most recently reauthorized in 2018.

11. The Institute, which administers the Library Services and Technology Act, is authorized to provide federal funding to State library administrative agencies. 20 U.S.C. § 9133(a). A “State library administrative agency” is an “official agency of a State charged by the law of the State with the extension and development of public library services throughout the State.” *Id.* § 9122(4). The New York State Library is a State library administrative agency.

12. In order to receive funds under the Library Services and Technology Act, each State library administrative agency must submit to the Institute its five-year state plan, which describes the State library administrative agency’s needs and goals and the ways in which the State intends to use the federal funding to meet those needs. *Id.* § 9134. A copy of the New York State Library’s five-year plan for period October 1, 2022, through September 30, 2027 is available here: <https://www.nysl.nysed.gov/libdev/lsta/LSTA227Final.pdf>.

13. Five-year plans that satisfy the statutory criteria are approved by the Director of the Institute. 20 U.S.C. § 9134(e). After the plan has been approved, the Institute allocates funding

through a population-based formula, *id.* § 9131(b) and pays to each State the Federal share of the activities in the plan, which is 66 percent. *Id.* § 9133(b).

14. Section 9141 provides that:

Of the funds provided to a State library administrative agency under [20 U.S.C. § 9123] section such agency shall expend, either directly or through subgrants of cooperative agreements, at least 96 percent of such funds for—

(1) expanding services for learning and access to information and educational resources in a variety of formats (including new and emerging technology), in all types of libraries, for individuals of all ages in order to support such individuals' needs for education, lifelong learning, workforce development, economic and business development, health information, critical thinking skills, digital literacy skills, and financial literacy and other types of literacy skills;

(2) establishing or enhancing electronic and other linkages and improved coordination among and between libraries and entities, as described in [20 U.S.C. § 9134(b)(6),] for the purpose of improving the quality of and access to library and information services;

(3)

(A) providing training and professional development, including continuing education, to enhance the skills of the current library workforce and leadership, and advance the delivery of library and information services; and

(B) enhancing efforts to recruit future professionals, including those from diverse and underrepresented backgrounds, to the field of library and information services;

(4) developing public and private partnerships with other agencies, tribes, and community-based organizations;

(5) targeting library services to individuals of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to individuals with limited functional literacy or information skills;

(6) targeting library and information services to persons having difficulty using a library and to underserved urban and rural

communities, including children (from birth through age 17) from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved;

(7) developing library services that provide all users access to information through local, State, regional, national, and international collaborations and networks; and

(8) carrying out other activities consistent with the purposes set forth in [20 U.S.C. § 9121], as described in the State library administrative agency's plan.

20 U.S.C. §§ 9141(a)(1)-(8).

The Institute's Impact in New York State

15. In 2024, the Institute invested \$180 million in libraries across the United States under its Grants to States Program. New York received \$8,125,215.00 (the "2024 Grants to States Award"), which represents the Federal share of the activities in the approved plan, totaling 66 percent.¹

16. New York uses these federal funds to support many of its programs, including:

a. Early literacy programs, such as Summer Reading at New York Libraries, and Ready to Read at New York Libraries. In 2024, 965 libraries and branches offered a Summer Reading Program, with 1.8 million children and teens participating.

b. Increasing access to the New York State Library's collections through digitization and preservation. This includes the operations of the Research Library, established in 1818 and renowned for its extensive collections. The New York State Library's collections include treasures like the original draft of George Washington's Farewell Address and the handwritten draft of Abraham Lincoln's Preliminary Emancipation Proclamation. Through digitization and expert research assistance, the New York State Library provides access to a wealth of information for researchers worldwide.

¹ A chart showing the 2024 allotment can be accessed here: <https://www.ims.gov/sites/default/files/2024-04/imslstastateallotmenttablefy2024.pdf>.

c. Serving as the New York State regional depository for United States government publications, the New York State Library receives and preserves a copy of every document distributed under the Government Publishing Office's Federal Depository Library Program. In June of 2023, the New York State Library signed a Memorandum of Agreement with the U.S. Government Publishing Office to become a Preservation Steward. As a designated Preservation Steward, New York State Library has agreed to perpetually preserve print collections of historic and current Congressional Hearings, historic and current Bound Congressional Record, and historic and current Code of Federal Regulations.

d. Supporting free, high-quality professional development and training for over 200,000 library staff and trustees across New York's 7,000 libraries.

e. Supporting equitable access for all New Yorkers, including promoting adult literacy programs, workforce development, outreach programs for residents who have difficulty accessing libraries, and providing technical assistance with discounts to support internet access and equipment in libraries.² Initiatives led by the New York State Library include Ready to Read at New York's Libraries, Social Work and Libraries, Summer Reading at New York's Libraries, and the administration of state-funded programs like the New York Online Virtual Electronic Library, and Documentary Heritage and Preservation Services for New York.

f. Distributing \$104.6 million in State Aid to support libraries of all types, focusing on timely, efficient allocation and strong oversight to maximize impact. Our commitment is to ensure libraries receive the resources they need to serve and strengthen their communities effectively.

g. Supporting 762 public libraries with expert guidance on chartering, funding, governance, and accountability to strengthen their operations and ensure that every New Yorker has reliable access to vital library services. New York State Library staff guide libraries through the complex processes of creating a library district, establishing sustainable funding models, and revising existing charters to assure that libraries exist to serve every community and have the funding they need to survive into the future.

h. Administering Legislative and Discretionary Grant Programs, including initiatives like Conservation and Preservation Grants for libraries and cultural institutions and the Dolly Parton Imagination Library Participation Grants.

² New York State Library, *New York State Libraries and the Federal Library Services and Technology Act (LSTA)*, <https://www.nysl.nysed.gov/libdev/lsta/#Learning> (last accessed Mar. 26, 2025).

- i. Processing Public Librarian Certification applications and overseeing Trustee Education, which enables job placements of recent graduates and ensures library boards receive necessary trustee training to fulfill their responsibilities.

17. The New York State Library also uses these federal funds to pay the salaries of 55 of its 84 employees who work to carry out the New York State Library's five-year plan as approved by the Institute. These staff administer aid programs, provide technical assistance to the state's 72 regional library systems and 762 public libraries, oversee statewide coordinated outreach services, develop training for library staff and trustees, preserve the New York State Library's historic collections, provide expert research assistance, digitize collections, and develop statewide library services that benefit New York's 7,000 libraries of all types and the communities who use these libraries.

18. In addition to administering federal funding to the State Library through its Grants to States program, the Institute also provides the following grant programs and services, the loss of which would be devastating to New York's cultural institutions:³

- a. Peer to peer information sharing facilitated through the Institute's Office of Library Services, under the direction of the Director and Deputy Director of the Office of Library Services.
- b. Collection and analysis of national library data, necessary to inform the improvement of library services across the state and the country.
- c. Dissemination of library data, reports, findings, studies, surveys, and other information obtained through its library data collection program.
- d. Inspire! Grants for Small Museums, which provided \$498,809 to small museums in New York in 2024.

³The Institute maintains a searchable database for all awarded grants on its website. Users can search awarded grants by fiscal year, State and city recipients, institutional recipients, the name of the funding program, and the funding office within the Institute that distributed the funds. The database is available here: <https://www.ims.gov/grants/awarded-grants> (last accessed Mar. 26, 2025). The following information was obtained by filtering the awarded grants by "Fiscal Year 2024" and "New York" and the results area available here: https://www.ims.gov/grants/awarded-grants?field_fiscal_year_text%5B1%5D=1&field_states=275&field_city=&field_institution=&field_program_categories_text=&fulltext_search=.

e. Native American Library Services and Museum Services Grants, which provided a total of \$304,897 in 2024 to the Seneca Nation of Indians and the Oneida Indian Nation to support library and museum services.

f. Laura Bush 21st Century Librarian Program, which provided \$629,844 to two libraries in New York in 2024.

g. Museum Grants for African American History and Culture, which provided \$846,372 to museums in New York in 2024.

h. Museums Empowered: Professional Development Opportunities for Museum Staff program, which provided \$189,956 to the New-York Historical Society in 2024 to improve K-12 museum programming for students with disabilities.

i. Save America's Treasures, which provided \$1,740,051 to six cultural institutions in New York in 2024, including \$165,000 to the American Jewish Historical Society to preserve records of the Anti-Defamation League's Civil Rights Information Center and its Center on Extremism.

j. Museums for America program which provided \$3,194,338 to 16 museums in New York in 2024, including \$160,000 to the National September 11 Memorial and Museum to create an exhibition of children's artwork of 9/11, highlighting the experience of children as witness to the events of 9/11.

k. Library National Leadership Grants, which provided \$1,610,762 to six organizations in New York in 2024, including \$249,996 to the University at Albany, SUNY to improve access to digital collections.

l. Museum National Leadership Grants, which provided \$1,393,485 to three organizations in New York in 2024, including \$552,679 to the Rochester Institute of Technology to develop strategies to improve the preservation of organic objects in the face of collection emergencies.

19. It is my understanding that the Grants to States Program is administered by four program officers and one supervisor. The loss of even one of those staff members could significantly disrupt the administration of the grant program.

20. The New York State Library's budget for this year has relied on receiving \$8.1 million in federal funding and we made plans and allocated funding for staffing, subgrants, and contracted services based on the anticipated receipt of Federal funding promised.

21. Over the next 18 months, we are scheduled to receive additional disbursements/reimbursements of \$6.8 million under our two current Federal awards – the \$8.1 million awarded under the 2024 Grants to States Award and the \$8.1 million awarded under the Grants to States Program for Fiscal Year 2025 (the “2025 Grants to States Award”). To date, \$7.2 million of the \$8.1 million 2024 Grants to States Awards has been expended, with roughly \$735,000 obligated but not yet expended. To date, 25% of the \$8.1 million 2025 Grants to States Award has been apportioned to the States. Additional expenditures against the 2025 award will not be reimbursed until the remaining 75% of the award is obligated to the state.

22. The New York State Library has fully spent its 25% advance on the 2025 Grants to States Award. As of now, the only funding that we have available to draw down is the remaining balance of the 2024 Grants to States Award, which will lapse on September 30, 2025. This balance that is not already encumbered can support staff payroll until June 4, 2025. We are expecting the remainder of the 2025 Grants to States Award to be issued by April 22, 2025.

23. The New York State Library’s core services rely on continued and reliable funding. Currently, 55 of the New York State Library’s 84 staff members are federally funded. These staff operate the technical and research services of the Research Library and administer a variety of statewide services through the Division of Library Development, including technical assistance to regional library systems, who in turn support their public, school, academic, and special libraries. If we do not receive the expected remainder of the 2025 Grants to States award by June 4, 2025, we may need to terminate staff.

24. The 55 staff members affected are essential to the critical operations of the New York State Library’s Research Library and its Division of Library Development.

25. The loss of these 55 staff members would be so severe that we would have to close the Research Library to the public, hindering our ability to fulfill our responsibilities as a Federal Depository and Preservation Steward. Additionally, we would lose all but two staff members in the Division of Library Development, which would obstruct our capacity to process state aid, oversee library governance and chartering, and provide technical assistance to regional library systems and public libraries. Aid payments would be significantly delayed, and we would lose the capacity to provide the review necessary to assure that aid is spent according to law and regulation.

26. Any pause in New York State Library's federal funding would cause delays in service and harm to our patrons, which include libraries and other entities, state government employees, attorneys, and individuals.

27. Without certainty of reimbursement, we would have to initiate the termination of all discretionary services and ultimately the termination of staff.

28. This situation would cause immediate and irreparable harm to regional public library systems that rely on the timely processing of aid to support their critical services. Library systems do not maintain excessive fund balances, so delays in aid would force them to halt essential services. The State Library would also be unable to charter and register new libraries, process new Public Librarian Certifications, or provide technical assistance to library systems, local governments, public libraries, state agencies, or legislators on pressing library legal issues.

29. Additionally, if we do not receive the necessary disbursements or reimbursements, we will also immediately need to halt services and implement a hiring freeze. New York's Office of Cultural Education lacks the resources to compensate for this loss of federal funding. Until funding is disbursed, the State Library will be unable to enter into new contracts, such as those supporting initiatives like the America 250th Celebrations, or to renew or continue existing

contracts for essential tools, including the software that operates the State Library's online catalog and supports access to our digital collections, as well as the online tools that facilitate participation in the Summer Reading program and our DayByDayNY Early Literacy platform.

30. The loss or delay of federal funding would also impact state-funded services, as we would need to redirect funds set aside for discretionary purchases to cover staff salaries. This would result in a suspension of book and database purchases that support researchers and document New York's history, as well as ongoing conservation, preservation, and digitization efforts.

31. The loss or delay of federal funding is also impacting several new initiatives that the New York State Library had planned to take in 2025 but uncertainty around federal funding has forced us to pause these initiatives. If funding is delayed past its expected distribution date, the projects will be eliminated, as we will lack the time necessary to complete the projects within federal and state timelines.

32. For example, we had planned to announce a program to subgrant \$500,000 of federal funding to the state's public libraries to support innovative practices in libraries across the state on March 24, 2025. However, we cannot launch a competitive grant program without certainty about the remainder of the 2025 Grant to States Award.

33. We had also planned to develop an activity guide to help libraries and cultural institutions participate in America's 250th Celebrations and were preparing to launch a statewide platform for community service in commemoration of America's 250th. We planned to conserve and digitize 17th and 18th century Dutch documents relating to the early settlements in New York, and mass scan New York State Legislative Documents. We planned to work with the New York

State ConnectAll Office to develop a statewide digital inclusion program through the State's network of public libraries.

34. The New York State Library has a history of timely submissions of quarterly, interim and final financial reports and state program reports for the Grants to States program. Most projects reported on in the state program reports are continued from year to year and have been in place for many years. The Institute provides feedback each year after the annual financial and program reports are completed and the New York State Library always receives positive feedback and compliments on New York State Library projects and what has been accomplished. In addition, the Institute has cited components of the New York State Library's annual report as exemplary, using them as a model for other states to consider.

35. In addition to funding, the New York State Library relies on the Institute for its leadership, programs, data collection, and role as a convener of State library administration agencies. For example, the Institute's Public Library Survey is a critical collection of library data that is not available elsewhere. This data set, and its careful coordination, is essential to researchers seeking to understand national trends in library services and practitioners who are planning the future of libraries. It is extremely helpful for states to compare themselves with other states and for libraries to compare themselves to similar libraries in other states to ensure that best practices are being implemented. Loss of this data set and data collection tool would represent the loss of decades of information that is critical for community development and planning.

36. New York State relies on the Grants to States program through the Institute to support its technical assistance and grant funding for local libraries across New York. The libraries in every local community in New York need the State Library, its staff, and its services. Every action of the State Library is driven by its mission to empower New York State libraries. As local

libraries face numerous and varied challenges, the State Library is committed to designing policies that strengthen their resilience, expand access, and support their long-term success which cannot be achieved unless we have the adequate staff to provide critical support and services. Without the State Library, there is no organization to establish the policies and priorities that guide our libraries, leaving them exposed to threats that could undermine their very existence. Libraries are not merely symbols of access and opportunity; they are the driving force behind those values in every community across our state. The State Library is unwavering in its commitment to this mission, diligently supporting libraries through every facet of its work—whether through essential administrative functions or ambitious statewide initiatives. Threats to the State Library will undermine library services in local communities, including services that New Yorkers rely on.

37. The uninterrupted continuation of the following services depends on a stable State Library:

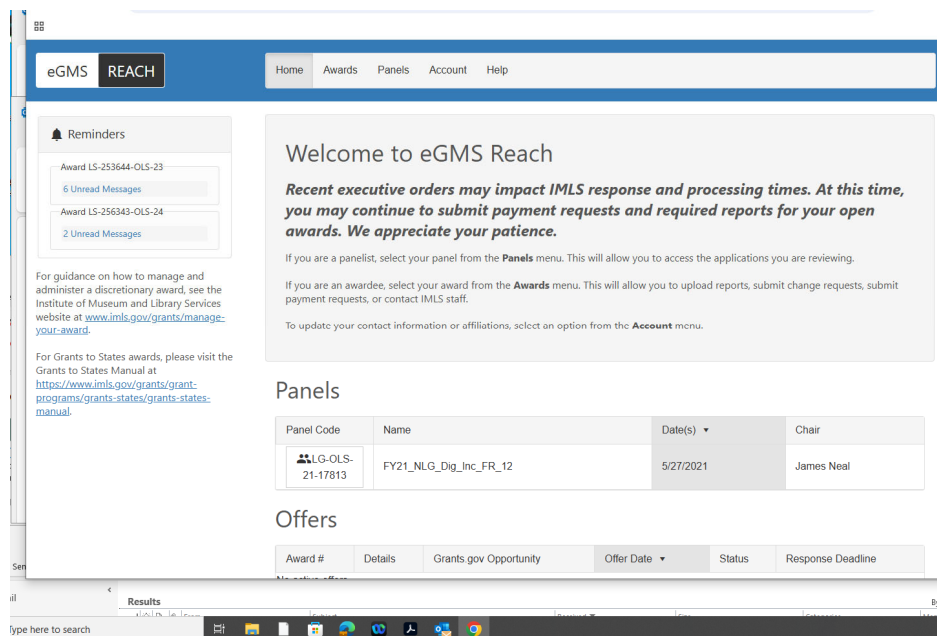
- a. *Serving vulnerable New Yorkers.* New York’s public libraries provide a wide range of materials and services to their communities, providing computer access, job training, literacy education, and more. In 2020 at the height of the COVID-19 epidemic, over 90% of our libraries extended their public services to include telephone or online reference assistance and curbside delivery, virtual programs and homebound delivery, and 85% provided Wi-Fi to those outside the building.
- b. *Providing lifelong learning opportunities for all New Yorkers.* In 2023, 62 million New Yorkers visited their libraries (a 10 million increase from 2022), and checked out 54 million physical books and 27 million e-books. Librarians helped nearly 13 million people with research questions and offered library programs to 2.7 million adults and 4.5 million children and teens. Libraries are a central provider of literacy programs, offering early literacy programs for 2.3 million families, adult literacy programs for 150,000 adults, digital literacy programs for 250,000 community members, and English classes for nearly 400,000 speakers of other languages.
- c. *Providing internet access.* Many New Yorkers rely on libraries for internet access. 8% of households in New York State have no online connectivity, and an additional 8% only access the internet via a mobile device. Thirteen percent of households have no broadband connection, and 29% of households with income under \$35,000 do not have any internet access. Libraries across the state have over 18,000 internet connected computers, offering 6.4 million wired and 19.3 million Wi-Fi sessions

in 2023. More than half of our public libraries rely on the New York State Library's administration of the Institute's e-rate funds to support this level of connectivity.

- d. *Providing accessible spaces and resources.* Libraries are committed to serving all New Yorkers. Eighty-one percent of libraries are fully wheelchair-accessible, and nearly every public library in New York State has an accessible entrance. Eighty-two percent of libraries provide services to those who are not able to visit the library, 62% offer virtual reference, and all offer online access to their catalog from outside the library.
- e. *Providing meeting spaces.* In many communities, the library provides the only free public meeting space. Ninety percent of New York's libraries provide this, with nearly one-third making these spaces available beyond their open hours.

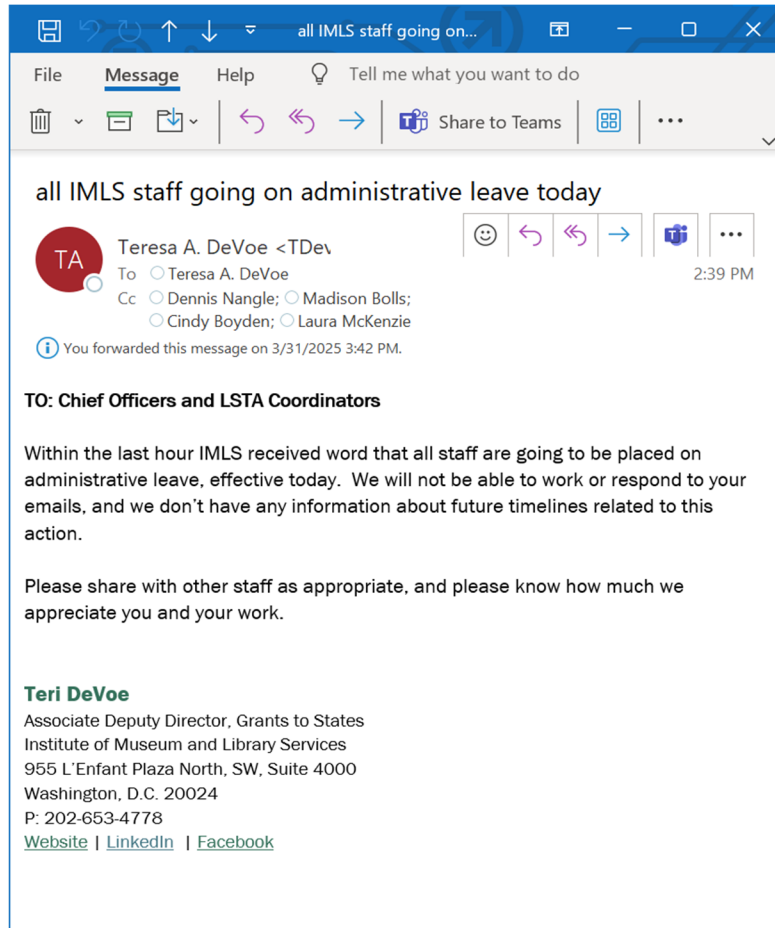
The Institute's Response to the Executive Order

38. On March 26, 2025, I accessed the Institute's eGMS portal, which is used by awardees to manage their grants. The portal had the following message: "Recent executive orders may impact IMLS response and processing times. At this time, you may continue to submit payment requests and required reports for your open awards."

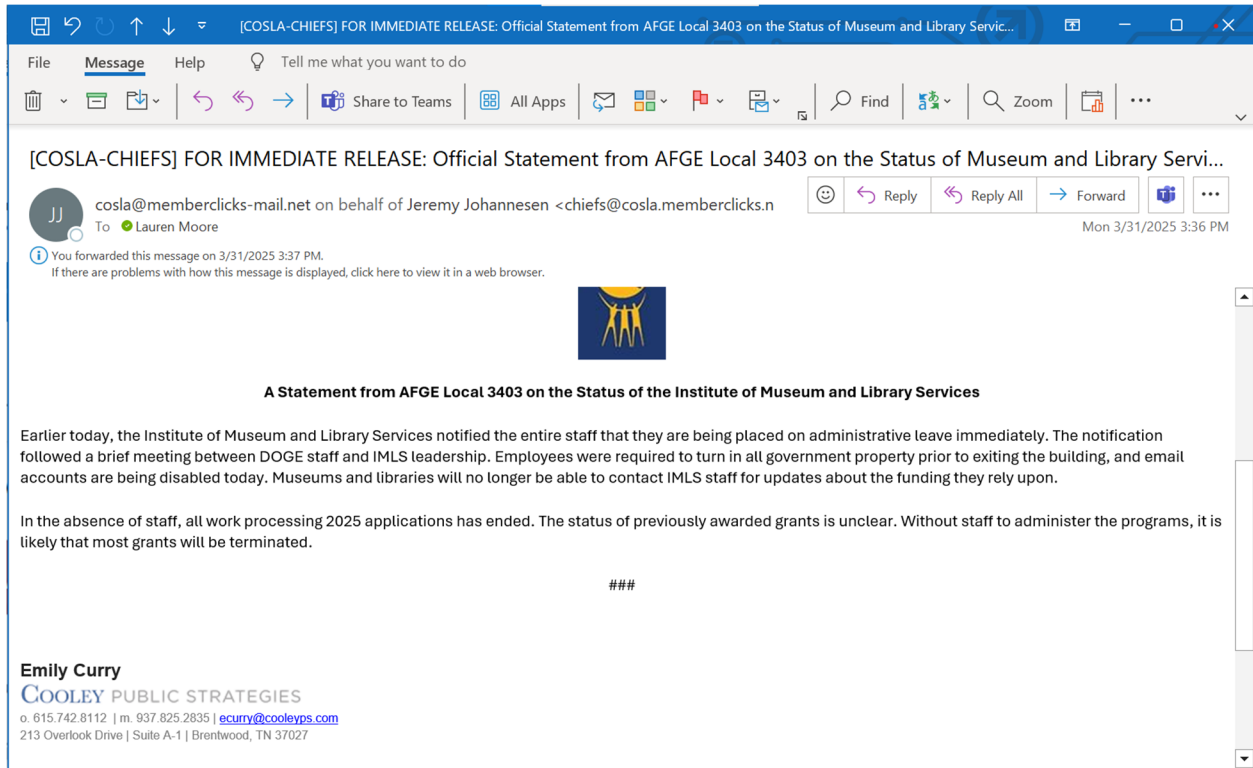


39. As of March 31, 2025, the above message in the eGMS portal has been removed.

40. On March 31, 2025, I received the below email from the Institute of Museum and Library Services advising that all of its staff members were going to be placed on administrative leave effective immediately.



41. On March 31, 2025, I also received the below statement from AFGE Local 3403 on the status of Museum and Library Services, advising that “[t]he status of previously awarded grants is unclear. Without staff to administer the programs, it is likely that most grants will be terminated.”



42. Because there is no staff to administer the Grants to States program, it is unlikely that New York will receive the remainder of its 2025 Grants to States Award by April 22, 2025, as expected, which will cause immediate and irreparable harm to New York for the reasons identified above.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct. Executed on April 1, 2025, at Albany, New York.

Lauren Moore